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Instructions to Governor Yeardley, 1618.

George Yeardley, after serving some time in the English forces in the Low Countries, came to Virginia in 1609, and was elected Governor by the Company in 1618, being the first occupant of that office who had had experience as a planter in the Colony. His administration marked an important change in the policy of the London Company, and he brought with him instructions to grant 100 acres of land to each of the old settlers who had been in the country before and during the time of Sir Thomas Dale, and fifty acres to each person who should come into Virginia with intent to settle. He was also instructed to summon a legislative assembly, which, meeting in 1619, was the first assemblage of representatives of the people ever held on the American continent.

The year of Yeardley's appointment, 1618, is notable for the deaths of two persons intimately associated with the early settlement, Raleigh and Powhatan. During Yeardley's administration the first importation of negro slaves was made.

These Instructions are printed from the Randolph MSS now in possession of the Virginia Historical Society.

The Treasurer and company of adventurers and Planters of the city of London for the first Colony in Virginia. To Captain George Yeardley Elect Governor of Virginia and to the council of state therein being or to be greeting.

Our former cares and endeavours have been chiefly bent to the procuring and sending people to plant in Virginia so to prepare a way and to lay a foundation whereon a flourishing state might in process of time by the blessing of Almighty God be raised. Now our trust being that under the government of you Captain Yeardley with the advice and assistance of the said council of state such publick Provisions of corn and cattle will again be raised as may draw on those multitudes who in great abundance from divers parts of the Realm were preparing to remove thither if by the late decay of the said publick store their hopes had not been made frustrate and their minds thereby clean discouraged. We have thought good to bend our present cares and consultations according to the authority granted unto us from his majesty under his great Seal to the settling thereof a laudable form of Government by Magistracy and just laws for the Happy guiding

and governing of the people there inhabiting like as we have already done for the well ordering of our own courts here and of our officers and actions for the behoof of that Plantation. And because our intent is to ease all the Inhabitants of Virginia forever of all Taxes and publick burthens as may be and to take away all occasion of oppression and corruption, we have thought fit to begin (according to the laudable example of the most famous commonwealths both past and present) to alot and lay out a convenient portion of publick lands for the maintainance and support as well of Magistracy and officers as of other publick charges both here and there from time to time arising. We therefore the said Treasurer and company upon a solemn treaty and resolution, and with the advice, consent, and assent with his majesty's council here of Virginia being assembled in a great and general court of the council and company of adventurers for Virginia, require you the said governor and council of state there to put in Execution with all convenient speed a former order of our courts (which had been commended also to Captain Argall at his making Deputy Governor) for the setling and laying out by bounds and metes of three thousand acres of Land in the best and most convenient place of the Territories of James Town in Virginia and near adjoining to the Said Town to be the Land and Seat of the Governor of Virginia for the time being and his successors and to be called by the name of the Governor's Land which Governor's Land shall be of the freed grounds by the common Labour of the people sent thither at the Company's Charges and of the Lands formerly conquered or purchased of the Paspeheies and of other grounds next adjoining. In like sort we require you to set and lay out by Bounds and metes other three thousand acres of good land within the Territory of James Town which shall be convenient. And in such Place or Places as in your Discretions you shall find meet which latter three thousand acres shall be and so called the company's Land. And we Require you Captain Yeardley that immediately upon your arrival you take unto you the guard assigned to Captain Argal at his going Deputy Governor or since by him assum'd to be of your Guard for the better defence of your Government and that as well the said Guard as also fifty other Persons now sent and transported with you you place as tenants on the said

governor's Land and that all other persons heretofore transported at the common charge of the company since the coming away of Sir Thomas Dale Knight late Deputy Governor be placed as Tenants on the Governor's and companie's lands shall occupy the same to the half part of the profits of the said Lands so as the one half to be and belong to the said Tenants themselves and the other half respectively to the said Governor and to us the said Treasurer and company and our Successors.

And we further will and ordain that of the half profits arising out of the said companies Lands and belonging to the said Treasurer and company the one moiety be employed for the entertainment of the said Councils of State there residing and of other publick officers of the general Colony and Plantation (besides the Governor) according to the proportion as hereafter we shall express and in the mean time as you in your discretions shall think meet. And the other moiety be carefully gathered kept and shipped for England for the publick use of us the said Treasurer and company and our successors. And we will and ordain that out of the half profits of the said companies Lands to us belonging one fifth part be deducted and allotted for the wages of the Bailiffs and other officers which shall have the oversight and government of the said Tenants and Lands and the Dividing gathering keeping or shipping of the particular moiety of the profits belonging Either to the said council and officer there or to us the said Treasurer and company and our successors as aforesaid. Provided always that out of the said companies Lands a sufficient part be exempted and reserved for the securing and wintering of all sorts of Cattle which are or shall be the publick stock and store of the said company. And forasmuch as our intent is to establish our equal Plantations whereof we shall speak afterwards be reduced into four cities or Boroughs namely the chief city called James Town, Charles City, Henrico, and the Borough of Kiccotan. And that in all those foresaid cities or Boroughs the ancient adventurers and Planters which were transported thither with Intent to Inhabit at their own costs and charges before the coming away of Sir Thomas Dale, Knight, and have so continued during the space of three years, shall have upon a first Division to be afterwards by us augmented one hundred acres of Land for their personal adventure and as much

for every single share of twelve pounds ten shillings paid for such share allotted and set out to be held by them their Heirs and assigns forever.

And that for all such planters as were brought thither at the Company's charge to Inhabit there before the coming away of the said Sir Thomas Dale after the time of their service to the Company on the common Land agreed shall be expired there be set out one hundred acres of Land for each of their Personal adventure to be held by them their Heirs and assigns for ever paying for every fifty acres the yearly free Rent of one shilling to the said Treasurer and company and their successors at one entire payment on the feast day of Saint Michaels the Archangel forever. And in regard that by the singular Industry and virtue of the said Sir Thomas Dale the former Difficulties and Dangers were in greatest part overcome to the great ease and security of such as have been since that time transported thither, we do therefore hereby ordain that all such persons as since the coming away of the said Sir Thomas Dale have at their own charges been transported thither to Inhabit and so continued as aforesaid there be allotted and set out at first Division fifty acres of Land to them and their Heirs forever for their Personal adventure paying a free Rent of one shilling yearly in manner aforesaid and that all persons which since the going away of the said Sir Thomas Dale have been transported thither at the company's charges or which hereafter shall be so transported be placed as Tenants on the company's lands for the term of seven years occupy the same to the half part of the profits as is above said. We therefore will and ordain that other three thousand acres of Land be set out in the fields and Territory of Charles City and other three Thousand Acres of Land in the fields and Territory of Henrico and other three Thousand Acres of Land in the field and Territories of Kiccowtan all which to be and be called the company's Lands and to be occupied by the Company's Tenants for half profits as aforesaid and that the profits belonging to the Company be disposed by their several moieties in the same manner as is before set down touching the company's Lands in the Territory of James Town with like allowance to the Bailiffs and reservation of ground for the common store of cattle in those several places as is there set down.

And our will is that such of the companies Tenants as all ready inhabit in those severall cities or Burroughs be not removed to any other city or Burrough, but placed on the companies Lands belonging to those cities and Burroughs where they now Inhabit. Provided always that if any private person without fraud or Injurious intent to the publick at his own charges have freed any of the said lands formerly appointed to the Governor he may Inhabit and continue there till a valuable recompense be made him for his said charges and we do hereby ordain that the Governors house in James Town first built by Sir Thomas Gates Knight at the charges and by the Servants of the Company, and since Enlarged by others by the very same means, be and continue for ever the Governor's house any pretended undue Grant made by misinformation and not in as general and Quarter Court to the Contrary in any wise notwithstanding. And to the intent that Godly learned and painful Ministers may be placed there for the Service of Almighty God and for the Spiritual Benefit and Comfort of the people, we further will and ordain that in every of those cities or Boroughs the several Quantity of One Hundred Acres of Land be set out in Quality of Glebe Land toward the maintainance of the Several ministers of the Parishes to be there limitted. And for a further supply of their maintenance there be raised a yearly standing and certain contribution out of the profits growing or renewing within the several farms of the said parish and so as to make the living of every minister two hundred Pounds sterling per annum or more as here after there shall be cause And for a further ease to the Inhabitants of all taxes and contributions to support and for the Entertainment of the particular magistrates and officers and of all other charges to the said cities and Boroughs respectively belonging.

We likewise will and ordain that within the precincts or Territories of the said cities and Boroughs shall be set out and aloted the several Quantities of fifteen hundred Acres of Land to be the common Land of the said city or Borough for the uses aforesaid and to be known and called by the name of the city's or Borough's Land. And whereas by a special grant and license from his majesty a general contribution over this Realm hath been made for the building and planting of a college for the

training up of the children of those Infidels in true Religion moral virtue and civility and for other Godly uses. We do therefore according to a former grant and order hereby ratify, confirm and ordain that a convenient place be chosen and set out for the planting of a University at the said Henrico in time to come, and that in the mean time preparation be there made for the building the said college for the children of the Infidels according to such Instructions as we shall deliver. And we will and ordain that ten Thousand acres partly of the Lands they impaled and partly of other Land within the territory of the said Henrico be allotted and set out for the Endowing of the said University and college with sufficient possessions.

Whereas also we have by order of court heretofore in consideration of the long good and faithful service done by you Captain George Yeardley in our said colony and plantation of Virginia. And in reward thereof and also in regard of two single shares in money paid into our Treasury granted unto you the said Captain Yeardley all that parcel of Marsh Ground called Weynock and also our other piece and parcel of Land adjoining to the said Marsh called by the natives Konwan one parcel whereof abutteth upon a creek there called Mapsock towards the east and the other parcel thereof towards a creek there called Queen's Creek on the West and extendeth in Breadth to landward from the head of Said Creek called Mapsock up to the head of the Said Creek called Queen's Creek (which Creek called Queen's Creek is opposite to the point there which is now called Tobacco point and abutteth South upon the River and North to the Landward) all which Several Lands are or shall be henceforward accounted to be lying within the Territory of the said Charles City and exceed not the Quantity of two thousand and two hundred acres. We therefore the Treasurer and company do hereby again grant, ratify and confirm unto you the said Captain George Yeardley the said grounds and lands to you the said Captain George Yeardley your Heirs and assigns forever. And for the better encouragement of all sorts of necessary and laudable trades to be set up and exercised within the said your cities or Boroughs. We do hereby ordain that if any artizan or Tradesman shall be desirous rather to follow his particular Art or Trade than to be employed in Husbandry or other

rural business It shall be lawful for you the said governor and council to alot and set out within any of the precincts aforesaid one dwelling House with four acres of Land adjoining, and held in fee simple to every said Tradesman his heirs and Assigns forever upon condition that the said Tradesman his heirs and assigns do continue and exercise his Trade in the said House paying only the free rent of four pence per year at the feast of Saint Michael the Archangel for ever, to us the said Treasurer and company and our Successors. And touching all other particular Plantations set out or like to be set out in convenient multitudes either by divers of the ancient adventurers associating themselves together (as the Society of Smiths Hundred and Martin's Hundred) or by some ancient adventurer or Planter associating others unto him (as the plantation of Captain Samuel Argall and captain John Martin and that by the late Lord Lawar advanced) or by some new adventurers joining themselves under one head (as the plantation of Christopher Lawne Gentleman and others now in providing) our intent being according to the rules of Justice and good government to alot unto every one his due yet so as neither to breed disturbance to the right of others, nor to interrupt the good form of government intended for the benefit of the people and strength of the colony. We do therefore will and ordain that of the said particular plantations none be placed within five miles of the said former cities and Boroughs and that if any man out of his own presumption or pleasure without special direction from us hath heretofore done otherwise a convenient time be assigned him and them by your directions to remove to some farther place by themselves to be chosen with the allowance and assent of the governor for the time being and the council of State. And that the Inhabitants of the said city or Borough too near unto which he or they were placed make him or them a valuable recompense for their charges and expence of time in freeing of grounds and Building within those precincts. In like sort we ordain that no latter particular plantation shall at any time hereafter be seated within ten miles of the former. We also will and ordain that no particular plantation be or shall be placed straglingly in the divers places to the weakening of them but be united together in one seat and Territory that so also they may be incorporated by us into one body corporate and live under

equal and like law and orders with the rest of the colony. We will and ordain also for the preventing of all fraud in abusing of our grants contrary to the Intent and just meaning of them, That all such persons as have procured or hereafter shall procure grants from us in general words unto themselves and their associates or to like effect shall within one year after the date hereof deliver up to us in writing under their hands and seals as also unto you the said governor and council what be or were the names of those their first associates. And if they be of the adventurers of us the Company which have paid into our Treasury money for their shares that then they Express in that their writing for how many shares they join in the said particular Plantation to the End a Due proportion of Land may be set out unto them, and we the said Treasurer and company be not defrauded of our Due. And if they be not of the adventurers of the company which have paid into our Treasury money for their shares yet are gone to inhabit there and so continue for three years, there be allotted and set out fifty acres of Land for every such person paying a free rent of twelve pence the year in manner aforesaid all such persons having been planted there since the coming away of Sir Thomas Dale.

And forasmuch as we understand that certain persons having procured such grants in general words to themselves and their associates or to like effect have corruptly of late endeavoured for gain and worse respects to draw many of the Ancient Planters of the said four Cities or Boroughs to take grants also of them and thereby to become associated unto them with intent also by such means to overstrengthen their party and thereupon have adventured on divers enormous courses tending to the great hurt and hindrance of the Colony, Yea and have also made grants of like association to Masters of Ships and mariners never intended there to Inhabit, thereby to defraud his majesty of the customs due unto him. We to Remedy and prevent such unlawful and greedy courses tending also directly to faction and sedition Do hereby ordain that it shall not be lawful for the Grantees of such grants to associate any other unto them but such as were their associates from the first time of the said Grants without the express license of us the said Treasurer and company in a Great General and Quarter Court under our Seal obtained. And that

all such after and under grants of Association made or to be made by the said Grantees shall be to all Intents and purposes utterly void, and for as much as we understand that divers particular persons (not members of our Company) with their companies have provided or are providing to remove into Virginia with intent (as appeareth) by way of Association to shroud themselves under the general grants last aforesaid—which may tend to the great disorder of our colony and hinderance of the good government which we desire to establish. We do therefore hereby ordain that all such persons as of their own will and authority shall remove into Virginia without any grant from us in a great general and Quarter Court in writing under our Seal be deemed (as they are) to be occupiers of our land that is to say of the common Lands of us The Treasurer and company, and shall yearly pay unto us for the said occupying of our land one full fourth part of the profits thereof till such time as the same shall be granted unto them by us in manner aforesaid, and touching all such as shall be members of our Company and adventurers by their moneys into our Treasury, shall either in their own persons or by their agents, Tenants or Servants set up in Virginia any such particular plantation tho' with the privity of us the said Treasurer and Company yet without any grant in writing made in our said General Quarter Courts as is requisite. We will and ordain that the said Adventurers and Planters Shall within two year after the arrival of them or their company in Virginia, procure our grant in writing to be made in our general Quarter Court and under our seal of the Land by them possessed and occupied, or from thence forth shall be deemed only occupiers of the Common Land.

As is aforesaid till such times as our said Grant we also not more intending the reformation of the errors of the said than for advancing of them into good courses, and therein to assist them by all good means.

We further hereby ordain that to all such of the said particular as shall truly fully observe the orders afore and hereafter specified there be alotted and set out over and above our former Grants one Hundred Acres of Glebe Land for the minister of every and fifteen hundred acres of Borough Land for the publick use of the said Plantation, not intending yet

hereby either to abridge or enlarge such Grant of Glebe or common Land as shall be made in any of our grants in writing to any of the said particular plantations. We also will and ordain that the like proportion of maintainance out of the and profits of the Earth be made for the several ministers of the said particular plantations as have been before set down for the ministers of the said former cities and Boroughs.

We will and ordain that the governor for the time being and the said Council of State do justly perform or cause to be perform all such grants, covenants and Articles as have and shall be in writing in our great and General Quarter Courts to any of the said particular plantations. Declaring all other grants of Lands in Virginia not made in one of our great and General Quarter Courts by force of his Majesty's Letters patents to be void, and to the end aforesaid we will and ordain that all our grants in writing under our Seal made in our great and general Quarter Courts be entered into your Records to be kept there in Virginia. Yet directly forbidding that a charter of Land granted to Captain Samuel Argall and his associates bearing Date the twentieth of March, 1616, be entered in your Records or otherwise at all respected for as much as the same was obtained by slight and cunning and afterwards upon suffering him to go Governor of Virginia was by his own voluntary act left in our custody to be cancelled upon grant of a new charter which
We do also hereby declare that heretofore in one of our said general and Quarter Courts we have ordained and enacted and in this present court have ratified and confirmed these orders and Laws following. That all Grants of Lands priviledges and Liberties in Virginia hereafter to be made be passed by Indenture a counterpart whereof to be sealed by the and to be kept the companies evidences and that the Secretary of the Company have the Engrossing of all such Indentures.

That no Patents or Indentures of Grants of Lands in Virginia be made and sealed but in a full general and Quarter Court the same having been first throughly perused and approved under the hands of a select committee for that purpose.

That all grants of in Virginia to such adventurers as have heretofore brought in their money here to the Treasury

for their several shares being of Twelve Pound ten shillings the share be of one hundred acres the share upon the first Division and of as many more upon a Second Division when the Land of the first Division shall be sufficiently peopled. And for every person which they shall transport thither within seven years after midsummer day one thousand six hundred and eighteen, if he continue there three years or die in the mean time after he is shipped it be fifty acres the person upon the first division and fifty more upon a second Division, the first being sufficiently peopled without paying any rent to the company for the one or the other and that in all such grants the names of the said adventurers and the several numbers of each of their shares be expressed.

Provided always and it is ordained that if the said adventurers or any of them do not truly and effectually within one year next after the sealing of the said grant pay or discharge all such sums of money wherein by subscription (or otherwise upon notice thereof given from the auditors) they stand indebted to the company, or if the said adventurers or any of them having not lawful Right either by purchase from the company or by assignment from some other former adventurers within one year after the said Grant or by special gift of the company upon merit preceding in a full Quarter Court to so many shares as he or they pretend, Do not within one year after the said grant satisfie and pay to the said Treasurer and company for every Share so wanting after the rate of twelve pounds ten shillings the share that then the said grant for so much as concerneth the Part and all the shares of the said persons so behind and not satisfying as aforesaid shall be utterly void.

Provided also and it is ordained that the Grantees shall from time to time during the said seven years make a true certificate to the said Treasurer council and company from the chief officer or officers of the places respectively of the number names, ages, Sex, Trades and conditions of every such persons so transported or shipped to be entered by the Secretary into a Register Book for that purpose to be made. That for all persons not comprised in the order next before which during the next seven years after Midsummer day, 1618, shall go into Virginia with intent there to inhabit if they continue there three years or dye after they are shipped, there shall be a Grant made of fifty acres

for every person upon a first division and as many more upon a second division (the first being peopled) which grants to be made respectively to such persons and their Heirs at whose charges the said persons going to inhabit in Virginia shall be transported with reservation of Twelve pence yearly Rent for every fifty acres to be answered to the said Treasurer and company, and their Successors for ever after the first Seven Years of every such grant. In which Grants a provisoe to be incerted that the grantees shall from time to time during the said seven years make a true certificate to the said Treasurer Council and Company from the chief officer or officers of Places respectively of the number, ages, names, sex, Trades and conditions of every such person so transported or shipped to be entered by the Secretary into a register Book for that purpose to be made that all grants as well the one sort as the other respectively be made with equal favours and grants of like Liberties and immunities as near as may be to the End that all complaint of partiality

differencie may be prevented all which said orders and we hereby will and ordain to be firmly and unviolably kept and observed and that the Inhabitants have notice of them for their use and Benefit.

Lastly we do hereby require and authorize you the said Captain George Yeardley and the said Council of State, associating with you such others as you shall there find meet to survey or cause to be surveyed all the Lands and Territories in Virginia above mentioned, and the same to set out by Bounds and Metes especially so as that the Territories of the said several cities and Boroughs and other particular plantations may be conveniently divided and known the one from the other. Each survey to be set down distinctly in writing and returned to us under your hands and Seals.

In Witness whereof we have hereunto set our common Seals given in a great and general Court of the Council of the Company of adventurers of Virginia, held the eighteenth day of November, 1618, and in the year of the Reign of our Sovereign Lord James, by the Grace of God King of England, Scotland, France and Ireland Defender of the Faith &c. Vizt of England, France and Ireland the Sixteenth and of Scotland the two and fiftieth.